

August 5 2010

Ed Smith
CLERK OF THE SUPREME COURT
STATE OF MONTANA

IN THE SUPREME COURT OF THE STATE OF MONTANA

No. AF06-0632

IN RE THE APPLICATION OF THE
AMERICAN BOARD OF TRIAL
ADVOCATES (ABOTA), MONTANA
CHAPTER, SEEKING ADOPTION AND
IMPLEMENTATION OF ABOTA'S
"CIVILITY MATTERS" PROGRAMS,
TO INCLUDE:

SUPPLEMENTAL MATERIALS IN SUPPORT OF APPLICATION

(1) An ABOTA sponsored "CIVILITY
REFEREE/MENTOR" Program to Provide
for Civility Mentoring and Mediation
Assistance to members of the Bar;

(2) Adoption of the ABOTA
"PRINCIPLES OF PROFESSIONALISM
AND CIVILITY" as the Montana Standards
of Professionalism and Civility; and

(3) Amendment of the written and oral oaths
of admission to the Bar of the State of
Montana, requiring all applicants to swear,
inter alia, to "faithfully observe the
Montana standards of professionalism and
civility . . ."

FILED

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CLERK OF THE SUPREME COURT
STATE OF MONTANA

TO: HON. ED SMITH, CLERK OF THE COURT

COME NOW Applicants Donald C. Robinson and the Montana Chapter of
AMERICAN BOARD OF TRIAL ADVOCATES (ABOTA) and in further support
of their Application to adopt proposed rules to advance Principles of Civility and

Professionalism, submit herewith the original and seven (7) copies of the following:

1. "CIVILITY MATTERS" DVD;
2. "WHAT ABOTA DOES" DVD; and
3. California Guidelines for Civility and Professionalism

The "CIVILITY MATTERS" DVD was created and produced by ABOTA, designed to be presented at Continuing Legal Education (CLE) programs involving Ethics and related legal education issues, including Civility and Professionalism. It is a 20-minute video presentation of observations and insights by distinguished jurists and attorneys throughout the United States, who articulate why "Civility Matters." It stresses that attorneys who make the effort to be civil in their dealings with each other not only reduce the distracting rancor and friction that is too often seen and heard within the judicial system, but they are actually more successful and productive in their practices of law. The presentation emphasizes that attorneys who make civility and professionalism the guiding hallmarks of their career are not perceived as ineffectual or passive, but rather are viewed--to their advantage--as effective, persuasive and confident advocates on behalf of their clients.

The DVD entitled "What ABOTA Does" presents various activities engaged in by ABOTA, both nationally and through its local state chapters, to effectuate its

purposes of protecting the right to trial by jury in civil cases as guaranteed by the 7th Amendment, and to promote civility and professionalism within the legal community. Through its educational Foundation, ABOTA also presents a number of informative programs to the general public and also formal, education curriculum programs for school children.

The California Guidelines adopted by its Supreme Court, are similar to those found in ABOTA's Principles of Civility, Integrity and Professionalism previously filed with the Court. As their name implies, they are operating guidelines that are extremely helpful in providing illustrative guidance to attorneys in frequently occurring situations. Of course, they also denote that the California court has placed its *imprimatur* upon them to stress their importance and the usefulness of their admonitions.

WHEREFORE, Applicants request that the enclosed materials be filed with the Court and duly considered by it in its consideration of the pending Application.

RESPECTFULLY SUBMITTED this 2nd day of August, 2010.

AMERICAN BOARD OF TRIAL
ADVOCATES, Montana Chapter

By Donald C. Robinson
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